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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/057,172	01/25/2002	Leonard D. Rarick	843161-103	5304

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EXAMINER

PHAM, LY D

ART UNIT

PAPER NUMBER

2818

DATE MAILED: 05/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/057,172

Applicant(s)

RARICK, LEONARD D.

Examiner

Ly D Pham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 1-9 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-18 is/are rejected.
- 7) ☒ Claim(s) 19 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Claims 1 – 9 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim.

Election was made **without** traverse in Paper No. 3.

Claim Objections

2. Claim 10 is objected to because of the following informalities:

No period to end the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 10 – 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leach et al. (US Pat Pub 2003/0056081 A1) in view of Aipperspach et al. (US Pat 4,849,904).

Regarding **claim 10**, Leach et al. disclose a read-only memory system where read-only data is stored in combinatorial logic (paragraph 0150, lines 6 – 10).

Although the binary logic function disclosed by Leach et al. is not specifically adapted to receive two binary address bits, Aipperspach et al. however have shown such system (col. 6,

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lines 5 – 8), which generates a plurality of binary values from said two address bits and a plurality of logic functions (col. 6, lines 10 – 18), said read-only data including at least one of said plurality of binary values (col. 10, lines 40 – 44).

Therefore, it is considered obvious to one of ordinary skill in the art, at the time the invention was made, to include the binary logic function shown by Aipperspach et al. to the read-only memory system of Leach et al. so that various logical functions are implemented for versatility purposes.

Regarding **claim 11**, Leach et al. disclose the read-only memory system of claim 10, further comprising at least one multiplexer ... (paragraph 0091, lines 1 – 6).

Regarding **claim 12**, Leach et al. disclose the read-only memory system of claim 11, wherein said at least one multiplexer is adapted to select a subset of said at least one of said plurality of binary values based upon at least one address bit, ... (fig. 51, either select bit from SEL24, SEL25, or SEL 26 to the corresponding multiplexer, being distinct from the address bits).

Regarding **claims 17 and 18**, Leach et al. disclose the read-only memory system of claims 11 and 12, further comprising at least one decoder for decoding said at least one address bit (paragraph 0171, lines 7 – 12, the one address bit here is a LSB).

Regarding **claim 16**, Aipperspach et al. also show the 2:1, 4:1, 8:1, and 16:1 multiplexers (col. 6, lines 34 – 59).

Regarding **claims 13 – 15**, the examiner takes an Official Notice that the logic functions consisting of AND, OR, XOR, NOT, NAND, NOR, and XNOR are considered common and well known in the art.

Allowable Subject Matter

5. **Claims 19 and 20** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


7. When responding to the office action, Applicant(s) are advised to provide the examiner with the page and line numbers in the application and/or references cited to assist the examiner to locate the appropriate paragraphs.

8. A shortened statutory period for response to this action is set to expire 3 (three) months and 0 (zero) day from the date of this letter. Failure to respond within the period for response will cause the application to become abandoned (see MPEP 710.02(b)).

9. Any inquiry concerning this communication on earlier communications from the examiner should be directed to Ly Pham, whose telephone number is 703-305-4862. The examiner can normally be reached on Monday – Friday from 8:30am to 5:00pm, alternate Friday off. The examiner's supervisor, David Nelms, can be reached at 703-308-4910. The fax number for the organization where this application or proceeding is assigned is 703-308-7724.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Ly Pham 

April 29, 2003


HOAI HO
PRIMARY EXAMINER